

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

OKI AMERICA, INC., ET AL.,

PLAINTIFF,

VS.

ADVANCED MICRO DEVICES, INC.,

DEFENDANT.

C04-03171-CRB

**STIPULATION TO FILE DOCUMENTS
UNDER SEAL**

ADVANCED MICRO DEVICES, INC.,

COUNTERCLAIMANT,

VS.

**OKI AMERICA, INC., OKI ELECTRIC
INDUSTRY CO., LTD., OKI DATA
CORPORATION AND OKI DATA AMERICAS,
INC.,**

COUNTER-DEFENDANTS.

WHEREAS, counsel for Oki and AMD have designated the documents and exhibits listed in Attachment A as Outside Counsel Only under the Protective Order entered by this Court on December 8, 2004; and

WHEREAS, due to citation or paraphrasing of the content of these documents, portions of the following motions have been designated by Oki and AMD as Outside Counsel Only under the Protective Order entered by this Court on December 8, 2004:

(1) AMD's Opposition to Oki's Motion to Strike Ratliff Reports Under *Daubert* and to Oki's Motion for Summary Judgment on AMD's Request for Damages, which contains confidential testimony by expert witnesses regarding Oki's financial information and/or licenses;

(2) AMD's Opposition to Oki's Motion for Partial Summary Judgment of Infringement of the Oki '571 and '694 Patents, which contains AMD's confidential design and process information and Intel confidential process and sales information; and

(3) AMD's Opposition to Oki's Notice of Motion and Motion for Partial Summary Judgment of Infringement of U.S. Patent No. 6,495,855, which contains AMD's confidential process information.

WHEREAS, AMD now seeks to file with the Court the documents listed in Attachment A which have been designated by Oki and AMD as Outside Counsel Only under the Protective Order entered by this Court on December 8, 2004.

IT IS HEREBY STIPULATED AND AGREED by and between all parties that the documents listed in Attachment A and the above-referenced motions should be filed under seal because they contain confidential information protected under the Court's Protective Order entered December 8, 2004.

IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

Dated: October 5, 2006

VINSON & ELKINS, LLP

/s/ Christopher V. Ryan

Christopher V. Ryan

Attorneys for Advanced Micro Devices, Inc.

KELLOGG, HUBER, HANSEN, TODD &
EVANS, PLLC

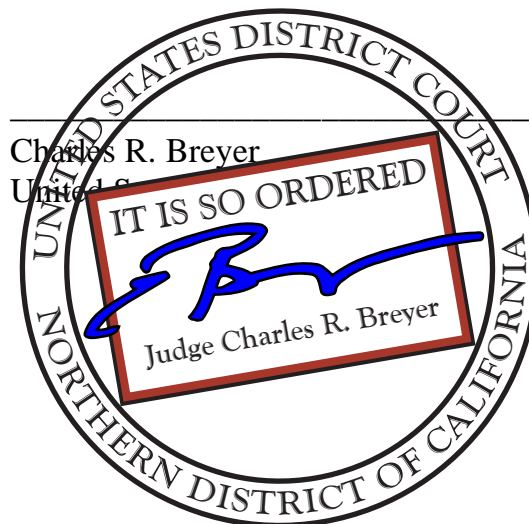
/s/ Patrick Curran

Patrick Curran

Attorneys for Oki America, et al.

IT IS SO ORDERED.

Dated: October 6, 2006



PROOF OF SERVICE

I am employed in Travis County Texas, I am over the age of 18 and not a party to the within action; my business address is 2801 Via Fortuna, Suite 100, Austin, Texas 78746.

On October 5, 2006, I served the foregoing document(s) described as

STIPULATION TO FILE DOCUMENTS UNDER SEAL

on the interested parties in this action, at the following addresses:

Daniel J. Bergeson
Melinda M. Morton
BERGESON, LLP
303 Almaden Boulevard, Suite 500
San Jose, CA 95110-2712

Mark C. Hansen
J.C. Rozendaal
Patrick Curran
KELLOGG, HUBER, HANSEN, TODD &
EVANS, PLLC
Sumner Square
1615 M. Street, NW, Suite 400
Washington, DC 20036

() (For Collection). By placing a true copy (copies) thereof enclosed in a sealed envelope(s), addressed as above, and by placing said sealed envelope(s) for collection and mailing on that date following ordinary business practices. I am "readily familiar" with the business' practice for collection and processing of correspondence for mailing the U.S. Postal Service. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Austin, Texas, in the ordinary course of business.

() (Overnight Delivery). By placing a true copy(ies) thereof enclosed in a sealed envelope(s) or package(s) as designated by Federal Express, addressed as above, and depositing said envelope(s) or package(s), with delivery fees provided for, in a box regularly maintained by Federal Express at 2801 Via Fortuna, Suite 100, Austin, Texas 78746.

(X) (Electronic Filing). In accordance with Section IX(B) of General Order No. 45 for cases designated in this Court for electronic case filing.

(X) (Courtesy copy via email). By transmitting a true unredacted copy(ies) thereof to each of the designated counsel on the service list to the following email addresses: jrozendaal@khhte.com and dbergeson@be-law.com.

() (Personal Delivery). I caused to be served by messenger for personal delivery that same day the foregoing documents in a sealed envelope to the above persons at the address(es) listed above.

(X) I declare under the penalty of perjury that the foregoing is true and correct.

Executed on October 5, 2006 at Austin, Texas.

/s/ Dawn Crider

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ATTACHMENT A

AMD's Opposition to Oki's Notice of Motion and Motion for Partial Motion for Summary Judgment of Invalidity of the Asserted Claims of U.S. Patent 6,495,855:

1. Exhibit B – AMD's Partial Motion for Summary Judgment of Invalidity of the Asserted Claims of U.S. Patent 6,495,855, filed September 14, 2006, which contains AMD's confidential process information.

2. Exhibit E – Document bates numbered AMD_69589-69691, which contains AMD's confidential process information.

3. Exhibit F -- Exhibit 50 to the April 20, 2006 Deposition of Scott Goad, which contains AMD's confidential process information.

4. Exhibit G -- April 20, 2006 Deposition of Scott Goad, which contains AMD's confidential process information.

5. Exhibit H -- June 28, 2006 Deposition of Carlos Salazar, which contains Intel's confidential sales information.

6. Exhibit I -- Intel Sales Records, Bates Labeled 851 INTEL000001 and Exhibit 6 to the June 28, 2006 Deposition of Carlos Salazar, which contains Intel's confidential sales information.

7. Exhibit J – Excerpts from the July 21, 2006 Expert Report of Dr. Dean P. Neikirk Regarding Invalidity of Kurachi and Sawamura Patents, which contains AMD and Oki's confidential process information.

8. Exhibit M – Excerpts from the August 14, 2006 Rebuttal Expert of Dr. Richard Fair Regarding Validity of U.S. Patent 5,739,571 (Kurachi), U.S. Patent 5,856,694

1 (Kurachi), and U.S. Patent 6,495,855 (Sawamura), which contains AMD and Oki's
2 confidential process information.

3 9. Exhibit N – Excerpts from the July 20, 2006 Expert Report of Dr. Richard
4 Fair Regarding Infringement of U.S. Patent 5,739,571 (Kurachi); U.S. Patent 5,856,694
5 (Kurachi); and U.S. Patent 6,495,855 (Sawamura), which contains AMD's and Oki's
6 confidential process information.
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**AMD's Opposition to Oki's Partial Motion for Summary Judgment of Invalidity of
U.S. Patent No. 4,960,732:**

1. Exhibit P – Excerpts from the July 14, 2006 report of Alan Ratliff, which contains Oki's confidential financial information.

2. Exhibit Q – Excerpts from the August 31, 2006 report of Alan Ratliff, which contains Oki's confidential financial information.

**AMD's Opposition to Oki's Motion for Partial Summary Judgment of Infringement
of the Oki '571 and '694 Patents:**

1. Exhibit G – Letter dated May 4, 2006 from Chris Ryan to J.C. Rozendaal which discusses AMD's confidential process information.

2. Exhibit S – Excerpts from the August 14, 2006 Rebuttal Expert Report on Damages by Richard B. Troxel which contains AMD's confidential financial information.

3. Exhibit T – Pages 149 and 150 from AMD's CS-44 Design Manual, which contains AMD's confidential process information.

4. Exhibit U – Excerpts from the February 28, 2006 deposition of Stephen Beebe, which contains AMD's confidential process information.

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